

REMARKS

Applicant appreciates the Examiner's careful review of the present application, and respectfully requests reconsideration in light of the preceding amendments and the following remarks.

Double Patenting Rejection

Claims 1-12 stand rejected on the ground of double patenting of the same invention over claims 1-13 of copending Applications No. 10/585,405 ("Kim"). This rejection is traversed for the reasons presented below.

On pages 2-8 of the instant Office Action, the Examiner asserts that independent claim 1 is identical to the invention of claims 7 and 6 of Kim and that independent claim 8 is identical to the invention of claims 1 and 6 of Kim. Applicant, however, respectfully disagrees because the rejected claims are not identical to the indicated claims of Kim. In order to reject a claim based on statutory-type double patenting of the same invention, the subject matter of the claim being rejected should be identical to that of any one of the claims in the copending application. In other words, all the limitations of the claim being rejected should be found in any one of the claims in the copending application.

However, claims 7 and 6 of Kim do not show all of the limitations of independent claim 1, nor do claims 1 and 6 of Kim show all of the limitations of independent claim 8. Specifically, claim 7 of Kim does not include the eighth and ninth steps of claim 1 of the present application, and claim 1 of Kim does not include the eleventh and twelfth steps of claim 8 of the present application. Further, claim 6 of Kim, which recites "the GGSN of the asynchronous mobile communication system is connected to the packet data service node of the synchronous mobile communication system through a Packet data-Packet data (P-P) interface," does not fairly correspond to the eighth and ninth steps of claim 1 and the eleventh and twelfth steps of claim 8 of the present application.

Therefore, independent claims 1 and 8 are not identical to claims 7 and 6 and claims 1 and 6 of Kim, respectively, and are in condition for allowance. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited. Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP

/Yoon S Ham/
Yoon S. Ham
Registration No. 45,307

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: February 23, 2010
YSH/SC/jr